

Notice of Allowability

Application No.

10/038,567

Examiner

Huyen X. Vo

Applicant(s)

NIELSEN ET AL.

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/29/2005.
2. ☒ The allowed claim(s) is/are 1-5. (*previously 19, 21, 23, 25, 27*)
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 9/29/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

W. R. YOUNG
PRIMARY EXAMINER

DETAILED ACTION

Allowable Subject Matter

1. Claims 19, 21, 23, 25, and 27 are allowed over prior art of record. The following is an examiner's statement of reasons for allowance: Ryan (US 5809476) discloses a system for coding data. An example implementation is disclosed whereby the coding system is a computer program especially suited to analyzing text input to the computer by for example a keyboard, optical character recognition or voice recognition. The data to be coded may, for example, comprise information relating to an event, item or operation. In the preferred form of the invention, the input data is text describing a medical diagnosis and operation, which would be dictated or recorded by a surgeon subsequent to an operation being performed on a patient. The coding system of the present invention analyses each word or term of the medical information in conjunction with specialized and generalized dictionaries of words and terms, along with the relationships between individual words or terms. In this way, in addition to producing a compressed symbolic representation of the original information, which may later be interrogated or used for statistical analysis, the present invention is also capable of correcting or supplementing the original information (*referring to Ryan reference*).

Rensimer et al. (US 5845253) disclose a system and method for processing patient data permits physicians and other medical staff personnel to record, accurately and precisely, historical patient care information. An objective measure of a physician's rendered level of care, as described by a clinical status code, is automatically generated. Data elements used in the determination of the generated clinical status

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code include a level of history of the patient, a level of examination of the patient, a decision-making process of the physician treating the patient, and a "time influence factor." The quantity and quality of care information for a particular patient is enhanced allowing future care decisions for that patient to be based on a more complete medical history. Enhanced care information can be used in outcome studies to track the efficacy of specific treatment protocols. Archiving of patient information is done in a manner, which allows reconstruction of the qualitative aspects of provided medical services. The medical care data can be recorded, saved, and transferred from a portable system to a larger stationary information or database system. Considerable physician and staff time are saved and precision and accuracy are significantly enhanced, by generating these clinical status codes automatically (at the point of service by the care-provider without any intermediary steps) from information recorded simultaneously with the provision of services (*referring to Rensimer et al. reference*).

Both Ryan and Rensimer et al. fail to specifically disclose the steps of determining a first nomenclature based on a first set of medical criteria; determining a second nomenclature based on the first set of medical criteria; designating either the first or the second nomenclature as at least part of a standard nomenclature associated with the first set of medical criteria; recording a second set of medical criteria corresponding to the medical patient; reviewing a list comprising a plurality of recorded standard nomenclatures; selecting one from the list of standard nomenclatures if the list includes a most relevant standard nomenclature; and inputting a new standard nomenclature associated with the recorded second set of medical criteria if the list does

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not include a most relevant standard nomenclature. Furthermore, it would have not been obvious to one of ordinary skill in the art at the time of invention to modify Ryan and/or Rensimer et al. to obtain the claimed invention. Therefore, claims 19, 21, 23, 25, and 27 are allowed over prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen X. Vo whose telephone number is 571-272-7631. The examiner can normally be reached on M-F, 9-5:30.

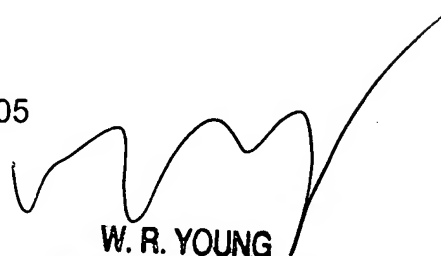
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HXV

10/28/2005



W. R. YOUNG
PRIMARY EXAMINER